

NOTE

This is an unofficial, non-binding translation of two clauses inserted into the Dutch Advertising Code under article 8 Misleading advertising, specifically clauses d and e under 8.3. These rules are transpositions from the Directive [2019/2161](#), which amends Directive 2005/29/EC, the Unfair Commercial Practices Directive

The Code in Dutch is linked below:

<https://www.reclamecode.nl/nrc/>

8.3 Also considered misleading is advertising that includes the following and causes or may cause the average consumer to make a transactional decision that he/ she would not otherwise have made:

d. When consumers are offered within a website the option to search for products offered by different suppliers, general information about the main parameters determining the ranking of products as a consequence of the search, and about the relative importance/ weighting of those parameters.

e. If an advertiser provides access to consumer reviews, it must be explained whether and how it is ensured that the published reviews are from consumers who have actually used or purchased the product.

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The clauses from the English version of the Directive 2019/2161 are below:

When providing consumers with the possibility to search for products offered by different traders or by consumers on the basis of a query in the form of a keyword, phrase or other input, irrespective of where transactions are ultimately concluded, general information, made available in a specific section of the online interface that is directly and easily accessible from the page where the query results are presented, on the main parameters determining the ranking of products presented to the consumer as a result of the search query and the relative importance of those parameters, as opposed to other parameters, shall be regarded as material.

Where a trader provides access to consumer reviews of products, information about whether and how the trader ensures that the published reviews originate from consumers who have actually used or purchased the product shall be regarded as material.

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